

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER No. 96-049  
NPDES PERMIT NO. CA0037958

AMENDMENT OF WASTE DISCHARGE REQUIREMENTS FOR:

NOVATO SANITARY DISTRICT  
NOVATO AND IGNACIO PLANTS  
MARIN COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter called the Board, finds that:

1. The Board adopted Waste Discharge Requirements Order No. 92-091 on August 19, 1992, for Novato Sanitary District (hereinafter called the discharger), for discharge under the National Pollutant Discharge Elimination System (NPDES).
2. The discharger presently discharges a combined Average Dry Weather Flow of 4.8 million gallons per day from the Novato and Ignacio plants into San Pablo Bay, a water of the State and United States. The discharge to the Bay, however, is prohibited from June 1 through August 31. During this period, effluent is stored in ponds for sprinkler irrigation of pasture lands. The three month discharge prohibition results in reclamation of approximately 25% of the total annual dry weather flow.
3. The discharge does not receive an initial dilution of 10:1 at all times. Order No. 92-091 established more stringent shallow water effluent limits based on no dilution. The effluent limit of 2.9 ug/l for copper specified in Order No. 92-091 was based on the 2.9 ug/l copper water quality objective contained in the 1991 State Water Quality Control Plan For Enclosed Bays and Estuaries of California and the 1992 Proposed Basin Plan Amendments to the December 1986 Water Quality Control Plan for the San Francisco Bay Basin.
4. Four municipalities and one private company filed suit challenging the Enclosed Bays and Estuaries Plan. In March 1994, the court issued a final decision which invalidated the Enclosed Bays and Estuaries Plan primarily on procedural issues. As a result of this final court decision, the State Board remanded all sections of the 1992 Basin Plan amendments related to implementation of the Enclosed Bays and Estuaries Plan.

5. At the time of permit reissuance in August 1992, discharge data indicated that the discharger would not be able to comply with the limit for copper. Order No. 92-091 specified a compliance time schedule for the discharger to achieve final compliance. The compliance schedule established two interim copper limits and required the discharger to implement an aggressive source control program. The first interim limit of 46 ug/l was established using the 95th percentile performance (using 1987-1991 performance data) and was in effect from August 19, 1992 to September 1, 1994. The second interim limit of 23 ug/l was the midpoint value from the first interim limit to the water quality based final limit of 2.9 ug/l and was in effect from September 1, 1994 to April 11, 1996.
6. Footnote "k" and "m" to Order No. 92-091's effluent limitations B.9.b Table 2 are related to copper limits and allow for permit modification:
  - "k. This limit is an interim limit, in effect until April 11, 1996. The default limits shall be the marine water quality based limits located in the Table 2, Final Limits column. This interim limit is the midpoint value from the first interim limit (95th percentile) to the water quality based final limit. Based on satisfactory progress in the waste minimization program, the discharger may petition the Board to amend this permit to incorporate a different interim limit."
  - "m. The discharger may petition the Board to amend this Order to incorporate interim limits where justified by the discharger's inability to meet the Table 2 limit and where the discharger is participating in the waste minimization program for the targeted constituent."
7. By letter of January 31, 1996 and its attachment entitled "Request for Amendment of Copper Effluent Limits," the discharger made a request for amendment of the effluent limit on copper.
8. The discharger, pursuant to the requirements of Order No. 92-091, has conducted a targeted pollution prevention program to identify and reduce copper sources. The discharger's initial investigations indicated that water system corrosion was the primary cause of the high copper levels in its effluent. The Sonoma County Water Agency, which is the primary provider of potable water for the discharger's service area, implemented a corrosion control project to raise the pH of the supply water and thereby reduce corrosion. As a result of this project and other activities of the discharger, copper levels in the combined effluent are now about one-half of what they have been over the previous six years.

9. In addition, the discharger is in the process of implementing a vehicle services pollution prevention program. Under this program, vehicle service facilities may apply for: (1) exempt status if they have no activities of concern; (2) a zero discharge permit if they discharge only domestic waste; or (3) a pollution prevention permit if they discharge non-domestic waste. After receiving permit applications, the discharger will inspect the businesses to verify their status and issue permits. This is expected to be completed by the second quarter of 1996.
10. The discharger has also prepared an inventory of other commercial establishments which may discharge copper at concentrations above background levels and has visited each of these businesses to further assess their potential for discharging significant quantities of copper. Based on review and where appropriate, the discharger will regulate them in the same manner that vehicle services businesses are being regulated.
11. The discharger has also evaluated the possibility of adding an activated sludge process to its Ignacio Treatment Plant, converting it to a dual biological process plant to increase copper removal. The discharger has indicated its intent to implement the treatment plant improvement.
12. The discharger has indicated that it is currently unable to meet the final copper limit of 2.9 ug/l even with the implementation of an aggressive waste minimization program and that it will be unable to meet the final limit even after the implementation of the treatment plant improvement project.
13. Based on careful consideration of the discharger's implementation of a satisfactory waste minimization program, the discharger's intent to implement the treatment plant improvement project, and the discharger's current inability of compliance, the Board concludes that the effective dates of the existing second interim effluent limit for copper (23 ug/l) in Order No. 92-091 shall be extended from April 11, 1996 to the full term of the permit (August 19, 1997) to allow the discharger additional time to fully implement the programs described above and the requirements ordered below and to allow the discharger additional time to identify and evaluate other possible ways of further reducing copper discharge to the Bay. In evaluating compliance with the interim limit, a 95th percentile value will be used.
14. The amendment of waste discharge requirements for this discharge is exempt from the provisions of Chapter 3 (commencing with Section 21000 of Division 13) of the Public Resources Code (CEQA) pursuant to Section 13389 of the California Water Code.
15. The Board has notified the discharger and interested agencies and persons of its intent to consider this matter, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.

16. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

**IT IS HEREBY ORDERED** that the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Water Pollution Control Act and regulations and guidelines adopted thereunder, shall comply with the prohibitions, effluent limitations, receiving water limitations, and provisions as specified in Order No. 92-091, except as amended here in this Order and described below:

**A. Provisions**

1. The discharger shall continue to aggressively implement and expand its waste minimization program and report progress satisfactory to the Executive Officer in its progress reports.
2. The discharger shall submit a work plan acceptable to the Executive Officer by October 18, 1996 describing plans towards converting the Ignacio Treatment Plant to a dual biological process plant. The discharger shall also investigate other possibilities of improving copper removal from its treatment units by adjusting treatment operations.
3. The discharger shall investigate possibilities of expanding its reclamation program to further reduce discharge to the Bay and shall submit a summary report acceptable to the Executive Officer by November 18, 1996 describing the results of the investigation.

**B. Effluent Limitations**

1. The effective dates of the existing second interim effluent limit for copper (23 ug/l) in Order No. 92-091 shall be extended from April 11, 1996 to the full term of the permit (August 19, 1997). In evaluating compliance with the interim limit, a 95th percentile value will be used.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on April 17, 1996.

  
LORETTA K. BARSAMIAN  
Executive Officer